

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1 Claim 1 (original): An alcove whirlpool seat for use in a spa system, said
2 alcove whirlpool seat comprising:

- 3 (a) a seat member having a circumference;
4 (b) a seat back having arm portions on opposite sides of said seat
5 back, said seat back extending annularly upward from a portion of
6 said circumference of said seat member, said seat back and at
7 least part of said arm portions substantially defining a whirlpool
8 area;
9 (c) said arm portions defining an open span;
10 (d) at least one jet nozzle positioned to direct a stream within said
11 whirlpool area; and
12 (e) said at least one jet nozzle, said seat back, and said arm portions
13 together creating a whirlpool within said whirlpool area.

1 Claim 2 (currently amended): The alcove whirlpool seat of claim 1,
2 wherein said alcove whirlpool seat is a horseshoe seat, said horseshoe seat further
3 comprising:

- 4 (a) a first arm portion having an interior first arm surface ~~and a first arm~~
5 face; and

- 6 (b) a second arm portion having an interior second arm surface ~~and a~~
7 ~~second arm face~~, said second arm portion being substantially a
8 mirror image to said first arm portion.
9

1 Claim 3 (original): The alcove whirlpool seat of claim 2, said horseshoe
2 seat further comprising said at least one jet nozzle positioned in said interior first arm
3 surface to direct said stream toward said seat back and at least one jet nozzle
4 positioned in said interior second arm surface to direct said stream across said open
5 span and toward said interior first arm surface.
6

1 Claim 4 (original): The alcove whirlpool seat of claim 2, at least one jet
2 nozzle directing said stream around said seat back and at least one jet nozzle directing
3 said stream across said open span.
4

1 Claim 5 (original): An alcove whirlpool seat spa system, said spa system
2 comprising:

- 3 (a) a spa system having an interior spa area;
4 (b) at least one alcove whirlpool seat within said interior spa area, each
5 at least one alcove whirlpool seat comprising:
6 (i) a seat member having a circumference;
7 (ii) a seat back having arm portions on opposite sides of said
8 seat back, said seat back extending annularly upward from a
9 portion of said circumference of said seat member, said seat
10 back and at least part of said arm portions substantially
11 defining a whirlpool area;
12 (iii) said arm portions defining an open span;
13 (iii) at least one jet nozzle positioned to direct a stream within
14 said whirlpool area to create a whirlpool flow; and

15 (iv) said at least one jet nozzle, said seat back, and said arm
16 portions together creating a whirlpool within said whirlpool
17 area;

18 (c) a spa water flow within said interior spa area and outside said
19 whirlpool area; and

20 (d) said whirlpool flow within said whirlpool area is substantially
21 separate from spa water flow.
22

1 Claim 6 (currently amended): The alcove whirlpool seat of claim 5,
2 wherein said at least one alcove whirlpool seat is at least one horseshoe seat, each
3 said horseshoe seat further comprising:

4 (a) a first arm portion having an interior first arm surface ~~and a first arm~~
5 ~~face~~; and

6 (b) a second arm portion having an interior second arm surface ~~and a~~
7 ~~second arm face~~, said second arm portion being substantially a
8 mirror image to said first arm portion.
9

1 Claim 7 (original): The alcove whirlpool seat of claim 6, each said
2 horseshoe seat further comprising said at least one jet nozzle positioned in said interior
3 first arm surface to direct said stream toward said seat back and at least one jet nozzle
4 positioned in said interior second arm surface to direct said stream across said open
5 span and toward said interior first arm surface.
6

1 Claim 8 (currently amended): The alcove whirlpool seat of claim 6 claim
2 7, at least one jet nozzle directing said stream around said seat back and at least one
3 jet nozzle directing said stream across said open span.
4

Claim 9 (currently amended): The alcove whirlpool seat of claim 5, wherein said at least one alcove whirlpool seat is a pair of cooperative horseshoe seats, each said horseshoe seat further comprising:

(a) a first arm portion having an interior first arm surface and a first arm face; and

(b) a second arm portion having an interior second arm surface and a second arm face, said second arm portion being substantially a mirror image to said first arm portion.

Claim 10 (currently amended): The alcove whirlpool seat of claim 9, each said horseshoe seat further comprising said at least one jet nozzle positioned in said first arm surface face.

Claim 11 (currently amended): The alcove whirlpool seat of claim 9, at least one jet nozzle directing said stream from a first arm portion of a first cooperative horseshoe seat across a span and toward a second arm portion of a second cooperative horseshoe seat, and at least one jet nozzle directing said stream from a first arm portion of said second cooperative horseshoe seat across a span and toward a second arm portion of said first cooperative horseshoe seat.

Claim 12 (new): The alcove whirlpool seat of claim 1, wherein said alcove whirlpool seat is a horseshoe seat, said horseshoe seat further comprising:

(a) a first arm portion;

(b) a second arm portion;

(c) said second arm portion being substantially a mirror image to said first arm portion.

1 Claim 13 (new): The alcove whirlpool seat of claim 1, at least one jet
2 nozzle directing said stream around said seat back and at least one jet nozzle directing
3 said stream across said open span.
4

1 Claim 14 (new): The alcove whirlpool seat of claim 5, wherein said at
2 least one alcove whirlpool seat is at least one horseshoe seat, each said horseshoe
3 seat further comprising:

- 4 (a) a first arm portion;
- 5 (b) a second arm portion;
- 6 (c) said second arm portion being substantially a mirror image to said
7 first arm portion.
8

1 Claim 15 (new): The alcove whirlpool seat of claim 5, wherein said at
2 least one alcove whirlpool seat is a pair of cooperative horseshoe seats, each said
3 horseshoe seat further comprising:

- 4 (a) a first arm portion;
- 5 (b) a second arm portion;
- 6 (c) said second arm portion being substantially a mirror image to said
7 first arm portion.
8

1 Claim 16 (new): The alcove whirlpool seat of claim 5, at least one jet
2 nozzle directing said stream around said seat back and at least one jet nozzle directing
3 said stream across said open span.
4

1 Claim 17 (new): An alcove whirlpool seat for use in a spa system, said
2 alcove whirlpool seat comprising:

- 3 (a) a seat member having a circumference;

- 4 (b) a seat back having arm portions on opposite sides of said seat
5 back, said seat back extending annularly upward from a portion of
6 said circumference of said seat member, said seat back and at
7 least part of said arm portions substantially defining a whirlpool
8 area;
- 9 (c) said arm portions defining an open span;
- 10 (d) at least one jet nozzle positioned to direct a stream within said
11 whirlpool area; and
- 12 (e) said at least one jet nozzle, said seat back, and said arm portions
13 together creating a whirlpool of water rotating in a substantially
14 circular or oval fashion within said whirlpool area.
15

1 Claim 18 (new): The alcove whirlpool seat of claim 17, wherein said at
2 least one alcove whirlpool seat is a pair of cooperative horseshoe seats, each said
3 horseshoe seat further comprising:

- 4 (a) a first arm portion;
- 5 (b) a second arm portion;
- 6 (c) said second arm portion being substantially a mirror image to said
7 first arm portion.
8

1 Claim 19 (new): The alcove whirlpool seat of claim 18, said horseshoe
2 seat further comprising said at least one jet nozzle positioned in said interior first arm
3 surface to direct said stream toward said seat back and at least one jet nozzle
4 positioned in said interior second arm surface to direct said stream across said open
5 span and toward said interior first arm surface.
6

1 Claim 20 (new): The alcove whirlpool seat of claim 17, at least one jet
2 nozzle directing said stream around said seat back and at least one jet nozzle directing
3 said stream across said open span.

4

Application No. 10/646,057
Amendment dated August 23, 2004
Reply to Office action of April 21, 2004

Amendments to the Drawings:

The attached sheet of drawings includes changes to FIG. 6. This sheet, which includes FIGS. 6 and 7, replace the original sheet including FIGS. 6 and 7. In FIG. 6, reference numerals 37a and 37b have been added to coordinate with the text added in the specification.

Attachment: Replacement Sheet.